United Nations A/73/174

General Assembly

Distr.: General
17 July 2018

Original: English

**Seventy-third session**
Item 74 (b) of the preliminary list*
**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

# Sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

## Note by the Secretariat

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Maud de Boer-Buquicchio, submitted in accordance with Assembly resolution 72/245.

* A/73/50.

18-11848 (E) 140818

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# Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

*Summary*

In the present report, submitted pursuant to General Assembly resolution 72/245, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, describes the activities undertaken in relation to the discharge of her mandate since her previous report to the Assembly (A/72/164).

She also presents a thematic study on combating and preventing the sale and sexual exploitation of children through the implementation of the Sustainable Development Goals from a children's rights-based perspective. The study includes an analysis of the current accountability mechanisms that are part of the 2030 Agenda for Sustainable Development and provides recommendations on how to ensure that children are not left behind in the review process.

# I. Introduction

1. The present report, submitted pursuant to General Assembly resolution 72/245, contains information on the activities undertaken by the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, from August 2017 to August 2018.

2. The report also includes a thematic study on combating and preventing the sale and sexual exploitation of children through the implementation of the Sustainable Development Goals from a children's rights-based perspective.

# II. Activities carried out by the Special Rapporteur

## A. Conferences and engagement with stakeholders

3. Information on the activities carried out in this area by the Special Rapporteur in 2017 can be found in her annual report to the Human Rights Council, submitted at its thirty-seventh session (A/HRC/37/60, paras. 4–5).

4. On 8 and 9 February 2018, the Special Rapporteur participated in a meeting of the Experts' Group on Parentage/Surrogacy, organized by the Hague Conference on Private International Law and held in The Hague, Netherlands.

5. On 14 and 15 February, she attended the End Violence Solutions Summit, hosted by the Government of Sweden, the Partnership to End Violence against Children and the WeProtect Global Alliance, in Stockholm.

6. In her annual report to the Human Rights Council, submitted at its thirty-seventh session (A/HRC/37/60), the Special Rapporteur focused her research on surrogacy and the sale of children. In that context, on 6 March, she organized an event on surrogacy in which she brought together several experts from different backgrounds.

7. On 15 March, the Special Rapporteur participated in an expert meeting on sexual exploitation and abuse organized by the Victims' Rights Advocate and held in New York.

8. On 10 April, she took part in the Experts and Advisory Board meeting of the global study on children deprived of liberty, which was held in Vienna.

9. On 29 May, the Special Rapporteur spoke at an event organized by the Expert Group on Children at Risk of the Council of the Baltic Sea States on good practices in the identification and referral of children at risk of exploitation and trafficking, held in Oslo.

10. On 28 June, she addressed the Committee on Migration, Refugees and Displaced Persons of the Parliamentary Assembly of the Council of Europe, in Strasbourg, France.

11. On 5 July, the Special Rapporteur gave a lecture on trafficking and other forms of exploitation of children that was organized by the University of Leiden in the context of the Frontiers of Children's Rights Summer School, which was held in Leiden, Netherlands.

## B. Country visits

12. The Special Rapporteur visited the Lao People's Democratic Republic from 8 to 16 November 2017, at the invitation of the Government. She also conducted a

visit to Ireland from 14 to 21 May 2018. The report on those missions will be presented to the Human Rights Council during its fortieth session, in March 2019. The Special Rapporteur thanks both Governments for their cooperation before, during and after the visits.

13. The Government of Malaysia has agreed to a visit by the Special Rapporteur from 24 September to 1 October 2018. The Special Rapporteur is grateful for the acceptance of her request and looks forward to a constructive dialogue in the preparation for the mission.

# III. Thematic study on combating and preventing the sale and sexual exploitation of children through the implementation of the Sustainable Development Goals from a children's rights-based perspective

## A. Introduction

14. As mandated by the Human Rights Council in its resolution 34/16, the Special Rapporteur launched an in-depth review of the ongoing implementation of the 2030 Agenda, with the ultimate goal of eradicating the sale and sexual exploitation of children. The initial reviews of the fulfilment of the 2030 Agenda by the high-level political forum on sustainable development represent an ideal opportunity for the Special Rapporteur to advocate a specific focus on realizing the rights of the child.

15. In the present study, the Special Rapporteur takes stock of the existing pledges to achieve the Sustainable Development Goals and provides guidance for all stakeholders concerned on how to effectively pursue and reflect the implementation of targets relating to the rights of the child. She aims in particular to advocate greater accountability on the part of Governments and a pragmatic use of existing reporting mechanisms.

## B. International policy framework

16. As stated in its preamble, the 2030 Agenda, which was adopted by all Member States by consensus in September 2015 in the form of General Assembly resolution 70/1, is intrinsically linked to human rights. In the 2030 Agenda, States declared their intention to protect human rights and promote gender equality and the empowerment of women and girls.[1]

17. Moreover, States envisaged a world of universal respect for human rights and human dignity which invests in its children and in which every child grows up free from violence and exploitation.[2] In addition, they crucially confirmed the importance of the Universal Declaration of Human Rights, as well as other international instruments relating to human rights and international law.[3] That fundamental vision mirrors the purpose of the mandate of the Special Rapporteur to eradicate the sale and sexual exploitation of children.

18. Each Sustainable Development Goal also reflects one or several obligations of States parties to international human rights instruments. A mapping prepared by

[1] General Assembly resolution 70/1, para. 3.

[2] Ibid., para. 8.

[3] Ibid., para. 19.

UNICEF illustrates this interrelation in respect to the Convention on the Rights of the Child.[4]

19. Three targets relate directly to issues that fall within the scope of the mandate of the Special Rapporteur, namely: target 5.3, to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation; target 8.7, which calls for immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms; and target 16.2, to end abuse, exploitation, trafficking and all forms of violence against and torture of children.

20. Those specific targets reflect core international norms and standards. For example, target 5.3 corresponds to the implementation of articles 1 to 6 of the Convention on the Elimination of All Forms of Discrimination against Women, of articles 1 to 4 of the Declaration on the Elimination of Violence against Women and articles 24 (3) and 35 of the Convention on the Rights of the Child. At the same time, target 8.7 reflects the implementation of article 4 of the Universal Declaration on Human Rights, article 8 of the International Covenant on Civil and Political Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women, articles 32 and 34 to 36 of the Convention on the Rights of the Child, the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138), and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). Lastly, target 16.2 corresponds to articles 19 and 34 to 37 of the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography.[5]

21. In addition, children are recognized in the 2030 Agenda as a vulnerable group that needs to be empowered, and they are acknowledged as rights holders who can be agents of change.[6]

22. Member States also committed themselves to ensuring that the follow-up and review processes relating to the implementation of the 2030 Agenda would be people-centred and gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind.[7] They further suggested that the follow-up and review of the implementation should build on existing reporting mechanisms (see A/70/684, para. 85), which could include existing human rights reporting mechanisms, such as those of the Human Rights Council, treaty monitoring bodies and specialized agencies.

## C. Analysis of the implementation of the Goals

23. In view of the specific mandate of the Special Rapporteur, an analysis of the Goals relating to children's rights was undertaken. Whenever possible, the three Goals that directly pertain to her mandate were reviewed.

### 1. Global indicators

24. In order to measure progress towards the accomplishment of the 2030 Agenda successfully, it is crucial to collect and analyse data. In this regard, the Inter-Agency and Expert Group on Sustainable Development Goal Indicators was established to develop and implement the global indicator framework for the Goals and targets. The

[4] Available at www.unicef.org/agenda2030/files/SDG-CRC_mapping_FINAL.pdf.

[5] See also www.ohchr.org/Documents/Issues/MDGs/Post2015/HRTB_Contribution_26May2016.pdf.

[6] See General Assembly resolution 70/1, paras. 23 and 51.

[7] Ibid., para. 74.

Group identified UNICEF as custodian or co-custodian of 17 Goal indicators, including those for targets linked to the mandate of the Special Rapporteur, namely, targets 5.3, 8.7 and 16.2. ILO and the United Nations Office on Drugs and Crime (UNODC) are also custodian agencies for certain indicators of targets 8.7 and 16.2.

25. The specific indicators that are pertinent to the mandate of the Special Rapporteur are as follows: indicator 5.3.1, for which UNICEF is the custodian agency, serves to measure the percentages of women between 20 and 24 years of age who were first married or in a union before the age of 15 and before the age of 18. Indicator 8.7.1, for which UNICEF and ILO serve as co-custodians, is used to measure the proportion and number of children between 5 and 17 years of age who are engaged in child labour, disaggregated by sex and age. Indicator 16.2.2, for which UNODC is the custodian agency, serves to measure the number of victims of human trafficking per 100,000 population, disaggregated by sex, age and form of exploitation. Lastly, indicator 16.2.3 is used to measure the proportion of young women and men between 18 and 29 years of age who have experienced sexual violence before the age of 18. That indicator is under the custodianship of UNICEF.[8]

26. The indicators mentioned above do not cover all of the numerous human rights violations that fall within the scope of the mandate of the Special Rapporteur. Notably, the need for disaggregation of data regarding the worst forms of child labour, such as the sale of children, child sexual exploitation and child sexual abuse material, is not explicit in the indicator for target 8.7. Furthermore, indicator 16.2.2 does not differentiate between the trafficking and the sale of children, while indicator 16.2.3 does not account for specific forms of sexual violence, such as the various manifestations of sexual exploitation.

27. As detailed in the study conducted by the Special Rapporteur on the sale of children for the purpose of forced labour (see A/71/261), the difference between the sale and trafficking of children should not be overlooked. Indeed, even though both crimes can involve similar realities, the sale of children encompasses several violations that do not fall under the definition of trafficking under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It is thus essential to measure this specific human rights violation.

28. The complex process for adopting indicators renders any substantial change to the list of indicators difficult. Nonetheless, the list will be refined annually and reviewed comprehensively by the Statistical Commission. It is therefore of the utmost importance to encourage States, whenever feasible, to undertake additional data collection that goes beyond the Goal indicators. Moreover, the adoption of indicators at the regional and national levels should be designed to bridge those gaps and consequently to ensure that violations of children's rights are not overlooked.

29. A good example of additional indicators relevant to the mandate of the Special Rapporteur can be found in the treaty-specific guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44 (1) (b) of the Convention on the Rights of the Child (CRC/C/58/Rev.3). The annex to that document contains helpful guidelines for the inclusion of statistical information and data, disaggregated by age or age group, sex, location, minority or indigenous group, ethnicity, religion, disability or any other category that is considered appropriate.

30. Moreover, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has produced a guidance note on data collection and

[8] For the full list of indicators, see General Assembly resolution 71/313.

disaggregation.[9] That document lists six core elements that should guide any data collection exercise, namely, participation, data disaggregation, self-identification, transparency, privacy and accountability.

31. The urgent need for further data collection efforts was confirmed in a recent UNICEF report.[10] The authors of the report concluded that only one in five countries had sufficient data to assess progress towards Goal targets relating to child protection. In respect of child marriage, for example, for which the available comparable data were relatively strong across the world, it was observed that there had been a decline over the past decades, but that progress would not be fast enough to reach the target by 2030.[11]

32. One crucial aspect of data collection is the definition of categories and the use of terminology. A major stumbling block has thus been the plethora of terms used at the national level to describe forms of violence against children. The Special Representative of the Secretary-General on Violence against Children underlined the fact that there was no standard categorization of the forms of violence, and no internationally agreed methodology for data collection in the context of the implementation of the 2030 Agenda (see A/72/275, para. 28). Consequently, the Special Rapporteur is of the view that all stakeholders concerned should consider adopting the *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*,[12] which can be an invaluable reference tool.

33. Nonetheless, there have been several efforts to map the extent of types of children's rights violations. In respect of child labour, the number of children between 5 and 17 years of age who were working declined by 94 million between 2000, when ILO conducted its first survey, and 2016, when the most recent figures were compiled. The number of children in hazardous work also fell by more than half. Those data point to a positive trend, but the rate of decline is still too slow to meet target 8.7 by its 2025 deadline.[13] Specifically, estimates for 2016 showed that 1 million children were subject to commercial sexual exploitation, 3 million children were in forced labour for other forms of labour exploitation and 300,000 children were in forced labour imposed by State authorities.[14] It must be kept in mind that those estimates cover only 70 per cent of the world's population of children between the ages of 5 and 17 years.[15] Moreover, ILO underlines the difficulty of finding reliable national data on children in bonded and forced labour or in commercial sexual exploitation.[16]

34. Furthermore, in the report of the Secretary-General on progress towards the implementation of the Goals (E/2018/64, para. 127), it was noted that 570 different flows involving trafficking in persons had been detected across the world between 2012 and 2014. In addition, the majority of trafficking victims detected in 2014 were women and girls, who accounted for 71 per cent of the total, and about 28 per cent were children (20 per cent girls and 8 per cent boys). More than 90 per cent of the victims detected had been trafficked for sexual exploitation or forced labour. It

[9] OHCHR, "A human rights-based approach to data: leaving no one behind in the 2030 Agenda for Sustainable Development" (2018). Available at www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf.

[10] UNICEF, "Progress for every child in the SDG era" (2018). Available at https://data.unicef.org/resources/progress-for-every-child-2018/.

[11] Ibid., pp. 64 and 65.

[12] The guidelines were adopted in 2016 by an inter-agency working group that brought together representatives of civil society, regional bodies, specialized agencies, United Nations agencies, human rights mechanisms and academia. See http://luxembourgguidelines.org/.

[13] ILO, *Global Estimates of Child Labour: Results and Trends, 2012–2016* (Geneva, 2017), p. 11.

[14] Ibid., p. 13.

[15] Ibid., p. 14.

[16] Ibid., p. 21.

remains to be seen whether updated figures on trafficking in persons will indicate a decline in the number of victims and whether there will be an opportunity to disaggregate the data further to cover the sale of children and the forms of exploitation.

### 2. High-level political forum on sustainable development

35. The high-level political forum on sustainable development is the main United Nations platform on sustainable development and plays a central role in the follow-up to and review of the 2030 Agenda. The forum is informed by the contributions of Member States, the organizations of the United Nations system, other relevant intergovernmental organizations, major groups and other stakeholders.

36. The analysis below contains a review of relevant thematic reports and submissions and the voluntary national reviews presented during the sessions of the forum in 2016 and 2017. The former session was focused on ensuring that no one was left behind, while the latter was dedicated to the topic of eradicating poverty and promoting prosperity in a changing world.

#### Analysis of thematic reports by specialized agencies and other stakeholders

37. Several key stakeholders contributed to the first session of the forum, in 2016. In general, a strong link was created between the 2030 Agenda and its human rights-based implementation.

38. In his report on progress towards the implementation of the Goals, the Secretary-General highlighted in particular that children and young people were potential agents of change and partners for implementing the 2030 Agenda, even though they faced enormous challenges (E/2016/75, para. 129). The President of the Human Rights Council underscored in his submission[17] that children were among the population groups that faced multiple and intersecting forms of discrimination.

39. In its submission,[18] the major group for children and youth[19] placed specific emphasis on the importance of disaggregated data in monitoring the implementation of the Goals, in order to ensure that no group of children and youth was left behind. The major group also made a clear statement that the Goals were more than aspirational targets and commitments, since they were grounded in human rights obligations that States had taken on when they had ratified international human rights treaties, such as the Convention on the Rights of the Child.

40. The selected reports mentioned above demonstrate that, in 2016, children were considered mainly from the perspective of a group at risk of being left behind. There was, however, no explicit reference to the sale and sexual exploitation of children. Furthermore, a children's rights-based approach to the 2030 Agenda was not apparent.

41. In 2017, with a focus on gender, reference was made in several reports prepared for the forum to violence against women and girls. For example, in its contribution, the Commission on Crime Prevention and Criminal Justice[20] highlighted that such violence was a human rights violation that also generated significant economic costs for women, their families and societies as a whole. Such violence undermined poverty

[17] Available at www.ohchr.org/Documents/Issues/MDGs/Post2015/Contribution2016HLPF.pdf.

[18] Available at https://sustainabledevelopment.un.org/content/documents/10112MGCY-HLPF%20Paper%202016.pdf.

[19] Major groups represent the sectors of society that are recognized as necessary to achieve sustainable development.

[20] Available at https://sustainabledevelopment.un.org/content/documents/14555Comm_on_Crime_prevention_and_Criminal_Justice.pdf.

reduction efforts, as it adversely affected a country's human, social and economic development.

42. In its submission,[21] OHCHR focused on children's rights. It highlighted the importance of the 2030 Agenda in maintaining a focus on adolescent girls and addressing particular challenges and barriers, such as child marriage and unwanted pregnancy, HIV transmission, female genital mutilation and acquiring the education and skills that they needed to realize their potential.

43. In the 2017 report on progress towards the Goals (E/2017/66, para. 9), the Secretary-General underscored the progress that had been made regarding harmful traditional practices, such as child marriage. That decline was driven in particular by a steep reduction in the marriage rate among girls under 15 years of age.

44. In its ministerial declaration, the forum also reconfirmed the commitment to ending violence against women and girls and to taking action to prevent and eliminate all forms of violence and discrimination against women and girls through the strengthening of institutional mechanisms and legal frameworks (see E/HLS/2017/1, para. 17).

45. The adoption of the Goal indicators in 2017 and the focus on Goal 5, namely, achieving gender equality and empowering all women and girls, led to a demonstrable increase in attention to the protection of girls from violence. Nevertheless, the information provided generally did not make it possible to evaluate whether substantial progress had been made in the implementation of targets 5.3, 8.7 and 16.2.

**Analysis of voluntary national reviews**

46. As is clearly stated in the 2030 Agenda, the regular reviews by the forum are to be voluntary, country-led and undertaken by all countries, including both developed and developing countries, and should provide a platform for partnerships, including through the participation of major groups and other relevant stakeholders.[22] Voluntary national reviews are consequently a fundamental step in the reflection of the implementation of the Goals.

47. States are provided with guidance on how to prepare those reviews by the voluntary common reporting guidelines proposed by the Secretary-General.[23] The Department of Economic and Social Affairs has also produced a detailed handbook for the preparation of reviews.[24] In both the guidelines and the handbook, countries are encouraged to report on progress in relation to all 17 Goals, and to cover in greater depth the priority targets identified for each session of the forum.

48. Unfortunately, the inclusion of a statistical annex in the reviews remains optional in both documents, thus hampering the collection of data, which is vital for monitoring the implementation of the 2030 Agenda. Moreover, the two documents contain only implicit references to the use of human rights mechanisms for reporting purposes, as States are called upon to draw on existing reports in order to reduce the reporting burden.

49. Over half of Member States have either reported to the forum at one or both of its two most recent sessions or committed themselves to reporting in 2018. There is thus strong interest in engaging in the process of implementing the 2030 Agenda.

[21] Available at https://sustainabledevelopment.un.org/content/documents/16641OHCHR.pdf.

[22] General Assembly resolution 70/1, para. 84.

[23] See https://sustainabledevelopment.un.org/content/documents/17346Updated_Voluntary_Guidelines.pdf.

[24] Department of Economic and Social Affairs, Division for Sustainable Development, "Handbook for the preparation of voluntary national reviews", 2018 ed.

50. The review of a sample of 64 reviews in the context of the present report has made it possible to draw several key conclusions.[25] First, the length, level of detail, format and focus vary substantially by review, with reviews ranging in length from 29 to 386 pages. Second, the scope of the reviews has tended to mirror the theme of the sessions of the forum rather than cover all of the Goals. Lastly, in half of the reviews, children were hardly mentioned, and in six reviews not included at all. Indeed, in those reviews, the few references made to children included no indication of the level of implementation of the Goals.

51. In respect of the specific targets falling within the scope of the mandate of the Special Rapporteur, child marriage featured prominently in the reviews.[26] For example, Bangladesh, Nigeria and Zimbabwe indicated that national laws, policy frameworks and action plans had been adopted to deal with that human rights violation. In particular, Zimbabwe mentioned a ruling of its Constitutional Court in 2016 that outlawed the marriage of persons under the age of 18 years, and Nigeria brought to the fore the inclusion of child marriage as part of an awareness and sensitization campaign on gender equality.

52. Target 8.7 was also mentioned as a priority in several reviews. Colombia and Venezuela (Bolivarian Republic of) highlighted the issue of the recruitment of children and their use in hostilities. At the same time, Kenya, Nigeria and Uganda provided national data on the prevalence of child labour. Jordan, Kenya, Togo, and Uganda further emphasized the existence of legislation and policy frameworks on child labour.

53. Very few references were made to the specific forms of sexual exploitation covered by the mandate of the Special Rapporteur. The topic of combating sexual exploitation in the context of tourism and travel, as well as child sexual abuse material, through the training of professionals, was raised by the Netherlands. In addition, Costa Rica indicated that it was strengthening its strategies on commercial sexual exploitation, while Belize referred to its legislation prohibiting the commercial sexual exploitation of children.

54. Other countries, including Guatemala, Italy and Portugal, mentioned both exploitation and trafficking as priority areas. Uruguay identified challenges in relation to data collection on trafficking and described the establishment of an inter-institutional working group to combat trafficking. Similarly, Japan presented a plan of action against child sexual exploitation.

55. Specific references to children's rights and the Convention on the Rights of the Child were made by Egypt, Germany and Venezuela (Bolivarian Republic of). In particular, the Bolivarian Republic of Venezuela explained that children had been recognized as full subjects of rights in the Constitution. In addition, Belgium made specific reference to the Committee on the Rights of the Child and its recommendations, detailing how the Belgian National Commission on the Rights of the Child had developed 40 national indicators to provide a better understanding of the extent to which children's rights were increasingly being realized.

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[25] The voluntary national reviews of the following countries were examined: Afghanistan, Argentina, Azerbaijan, Bangladesh, Belarus, Belgium, Belize, Benin, Botswana, Brazil, Chile, China, Colombia, Costa Rica, Cyprus, Czechia, Denmark, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Guatemala, Honduras, India, Indonesia, Italy, Japan, Jordan, Kenya, Luxembourg, Madagascar, Malaysia, Maldives, Mexico, Monaco, Montenegro, Morocco, Nepal, Netherlands, Nigeria, Norway, Panama, Peru, Philippines, Portugal, Qatar, Republic of Korea, Samoa, Sierra Leone, Slovenia, Sweden, Switzerland, Tajikistan, Thailand, Togo, Turkey, Uganda, Uruguay, Venezuela (Bolivarian Republic of) and Zimbabwe.

[26] The voluntary national reviews mentioned in the paragraphs below can be found at https://sustainabledevelopment.un.org/vnrs/.

56. The question of the investment of public resources for the realization of children's rights was generally absent in most reviews. The input from Argentina stands out as an exception through the inclusion of data relating to the budget of the national public administration. The budget allocation and expenditure for the National Secretariat for Children, Young Persons and the Family were provided in respect of the eradication of poverty.

57. Nine countries[27] that have been designated as "pathfinding" under the Global Partnership to End Violence against Children also presented their reviews. Remarkably, the commitment of those countries to implementing target 16.2 is not generally reflected therein. There is no specific emphasis on implementation, with little information provided on measures taken to strengthen legislation, policies, coordination mechanisms, the investment of national resources, and prevention and response services in order to tackle violence against children.

58. The participation of children in the review of and follow-up to the 2030 Agenda is another strong indicator of implementation. Ten reviews described such a participatory approach through the use of schools, workshops, consultations and child parliaments.[28] For example, in Morocco, a special session was organized with the support of UNICEF to consult children and young people on national development priorities. In Denmark, several primary and secondary schools also took measures to increase awareness and to develop solutions for the attainment of the 2030 Agenda. In Chile, hundreds of thousands of children were reached in the "Yo Opino, es mi derecho" initiative, with a view to identifying their priorities and suggesting affirmative action to achieve the Goals. Nevertheless, the reviews do not indicate whether the consultation processes were institutionalized and rendered permanent or how the recommendations from children were acted upon.

59. The overall analysis of the above-mentioned reviews indicates that it is difficult to attain a clear understanding of the level of implementation of the 2030 Agenda in respect of children's rights. The present study reveals a fragmented approach in the production of reviews and a lack of uniformity and coherence in the level of detail provided. In addition, there is a lack of coordination at the national level in respect of the information compiled for different reporting mechanisms.

60. Specific references to the violations of children's rights falling within the scope of the mandate of Special Rapporteur are rare and often lack substance when they do appear. Even though it is apparent that action is being taken at the national level to prevent violence against children, the information is not currently reflected in reviews. This underreporting translates into a lack of attention to the issue of violence against children at the forum.

61. The Special Representative of the Secretary-General on Violence against Children has repeatedly voiced her concerns regarding the paucity of references to children's rights and to protection issues such as violence, abuse and exploitation in reviews. In 2017, her office did observe some progress in the amount of time devoted to children's rights in relevant forums, but a substantial gap remains.

### 3. Global partnerships

62. A key aspect of the implementation of the 2030 Agenda has been the creation of partnerships for sustainable development, which are multi-stakeholder initiatives that

[27] El Salvador, Indonesia, Japan, Mexico, Montenegro, Nigeria, Philippines, Sweden and Uganda.

[28] See UNICEF, Agenda 2030 Unit, Public Partnership Division, *2017 High Level Political Forum Voluntary National Reviews: An Analysis of the Reports of the 43 Governments Who Presented a National Review, from a Child Rights Lens* (September 2017).

bring together a multitude of actors.[29] Two are particularly relevant to the mandate of the Special Rapporteur: the Global Partnership to End Violence against Children and Alliance 8.7.

63. The Global Partnership was launched by the Secretary-General in July 2016 and strives to make societies safer for children and to end violence against children everywhere. Thus far, the Global Partnership has not engaged strongly with the high-level political forum. It has focused on building its constituency of pathfinding countries and organizing its Solutions Summit, which provided an opportunity for the Global Partnership to produce a progress report on the implementation of target 16.2.

64. The pathfinding country progress report published by the Global Partnership in 2017 is a particularly strong tool for monitoring the implementation of the Goals. In the report, an update on key recommendations of the Committee on the Rights of the Child is provided for each country. Moreover, pathfinding countries are required to indicate how their political will and coordination in ending violence against children is being realized. They must also describe the consultation process that has accompanied the development of road maps, priorities and action plans. In addition, data collection efforts in the area of ending violence against children must be reported. Lastly, a progress report on implementation and an evaluation are included in the report.

65. In parallel, it is expected that the Global Partnership will concentrate its efforts on giving support to pathfinding countries on how to produce reviews that effectively highlight their commitments to ending violence against children.

66. The Global Partnership has an associated fund that provides financial support for programmes and activities aimed at promoting target 16.2. To date, this crucial implementation process has led to the funding of 31 national, regional and global projects dedicated to ending the online sexual exploitation and abuse of children. A total of $24 million in grants was awarded through two calls for proposals issued by the fund. In addition, the fund has provided $5.4 million in funding for 12 projects in Nigeria and Uganda that support children facing violence in conflict and crisis settings.

67. Closely linked to the Global Partnership is the WeProtect Global Alliance, which contributes directly to its associated fund. The Alliance focuses on combating online sexual exploitation by limiting the production, possession and dissemination of child sexual abuse material.

68. The other partnership of interest to the Special Rapporteur is Alliance 8.7, which was launched in September 2017. Its focus on the eradication of forced labour, modern slavery, trafficking in persons and all forms of child labour is particularly relevant. The partnership has established action groups corresponding to priority focus areas, with one of them dedicated to commercial sexual exploitation that also includes children. At present, the group has yet to be put into operation.

69. Regarding implementation, Alliance 8.7 currently relies on the existing ILO monitoring mechanisms for ILO conventions and fundamental principles. Alliance 8.7 will also seek to engage further with the high-level political forum.

### 4. Other mechanisms and stakeholders contributing to the implementation of the Goals

70. In conjunction with the aforementioned review instruments, several existing mechanisms also contribute to the implementation of the Goals. First, the Universal

[29] More than 3,800 partnerships and commitments have been registered on the United Nations sustainable development website to date. See https://sustainabledevelopment.un.org/partnerships/.

Human Rights Index, which was designed to facilitate access to human rights recommendations issued by several human rights mechanisms, namely, the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review, now offers an option to search by Goal. Users of the Index can thus obtain an overview of recommendations by Goal and/or target.

71. Second, OHCHR is also developing a national human rights recommendations tracking database that will be focused specifically on implementation and will expedite the follow-up to recommendations from human rights mechanisms.

72. Third, since its first session after the adoption of the 2030 Agenda, the Committee on the Rights of the Child has systematically referred to target 16.2 in its concluding observations on reports under the Convention on the Rights of the Child. Moreover, the Committee has created a working group on the 2030 Agenda to ensure consistency between its concluding observations and the Goals. The Committee is also using the reviews as a source of information for its sessions, thus ensuring two-way interaction between the high-level political forum and human rights mechanisms.

73. As indicated previously, the Special Representative of the Secretary-General on Violence against Children has been another key advocate of the follow-up to and review of targets under the Goals relating to the protection of children from violence. Her annual reports to both the Human Rights Council and the General Assembly have systematically included an entire section on the 2030 Agenda. The Special Representative has also engaged repeatedly with regional and subregional intergovernmental organizations, including the Council of Europe, the Association of Southeast Asian Nations, the South Asian Association for Regional Cooperation and MERCOSUR, to ensure the adoption of regional action plans to end violence against children. Lastly, the Special Representative has put the onus on countries submitting their reviews to include explicit references to their efforts and commitments to end violence against children.

74. Another important implementation monitoring mechanism is the monitoring system for recommendations (known as "SIMORE") developed in Paraguay with the assistance of OHCHR. The system represents a unique tool that makes it possible to search all recommendations issued by United Nations human rights mechanisms and by the Inter-American Court of Human Rights in order to monitor how each recommendation is being implemented by relevant ministries and public institutions. Since the initial launch of the system, a new version called "SIMORE Plus" has been inaugurated to incorporate the 2030 Agenda, thus making it possible to clearly observe the link between the implementation of human rights recommendations and the Goals. Moreover, a new module called "OSC-Plus" has been created to facilitate the participation of civil society organizations in monitoring efforts to implement recommendations.

75. The success of the monitoring system for recommendations has led to its emulation across the region. Chile, the Dominican Republic, Guatemala, Honduras and Uruguay have all developed their own versions of the platform. Similar platforms were implemented in the Plurinational State of Bolivia, where it is called "SIPLUS", and in Ecuador, where it is named "Si Derechos". In addition, the Government of Paraguay has signed a memorandum of understanding with the Inter-American Commission on Human Rights in order to bolster that organization's monitoring of the implementation of its recommendations.

76. Generally speaking, national mechanisms for reporting and follow-up can be crucial to monitoring the implementation of the Goals. The existence of national coordinating bodies greatly enhances the possibility of recording and subsequently implementing recommendations relating to the 2030 Agenda. As a result, it is of the utmost importance to provide adequate resources for such mechanisms.

77. Civil society organizations have also actively engaged in the follow-up to and review of the Goals. For example, the Bertelsmann Stiftung and the Sustainable Development Solutions Network developed a Goal index and country dashboards that make it possible to track the global rank and the average performance of countries for each Goal. In respect of the targets within the scope of the mandate of the Special Rapporteur, the prevalence of child labour was the only child protection indicator used to construct the index.

78. Furthermore, non-governmental organizations have produced guidelines for their own country offices at the national level on how to participate in and contribute to reviews. There has also been engagement at the local level with communities and children in order to involve them in national debates on the Goals. For example, the ChildFund Alliance launched an initiative entitled "Toward a safe world for children: child-friendly accountability and SDG target 16.2", the purpose of which is to hold Governments and local leaders accountable for their obligations to end all violence against children, in accordance with target 16.2, through the empowerment of children.

79. Nonetheless, the Special Rapporteur has observed that the vast experience of engagement with human rights mechanisms acquired by non-governmental organizations focusing on children's rights has not yet been applied to the monitoring of the 2030 Agenda. Indeed, there is a need for greater coordination among civil society organizations at both the national and global levels. Moreover, the wealth of information that is compiled and analysed in the context of alternative reports to relevant human rights mechanisms, such as the Committee on the Rights of the Child, is currently not harnessed or used systematically for the follow-up and review procedure for the Goals. At the country level, non-governmental organizations focusing on children's rights still need to better integrate the 2030 Agenda.

## D. Accountability

80. For the 2030 Agenda to be attained in time, it is of the utmost importance to have robust follow-up and review mechanisms. From the analysis in the previous sections, it can be concluded that the current set-up does not favour strong oversight over the measures taken by States to implement the Goals.

81. For example, the review reports lack the rigour and systematic nature of reports to human rights mechanisms, which generally makes it difficult to draw conclusions about the level of implementation of the Goals. In addition, no expert assessment of the implementation of the 2030 Agenda is included in the presentation of reviews at the high-level political forum, which has nonetheless represented a valuable platform for discussion and the exchange of experiences and good practices. Without a process similar to the review of States by human rights mechanisms, participating States do not receive country-specific recommendations, which weakens accountability efforts.

82. In respect of children's rights and the specific violations that fall within the scope of the mandate of the Special Rapporteur, it can be observed that they have not been given sufficient attention. Stakeholders providing input on the 2030 Agenda have tended to refer to children but have rarely provided details on efforts to implement the Goals that pertain to children's rights. Violence against children as well as the sale and sexual exploitation of children have yet to be considered priority areas.

83. There is also a question of underreporting by States on existing commitments towards the attainment of the 2030 Agenda. In this regard, the Special Representative of the Secretary-General on Violence against Children reported to the General Assembly in 2016 that more than 90 countries had strengthened national

implementation efforts to free children from violence, especially through the adoption and implementation of comprehensive multisectoral national strategies (see A/71/206, para. 24 (d)). The wealth of information provided by States in their reports to treaty bodies also serves to confirm that their implementation efforts are not being brought to the fore in the context of the Goals. This lack of coordination and consistency hampers accountability efforts.

84. In addition, accountability for the fulfilment of the Goals has been promoted through initiatives at the national level that were not reported in the context of reviews. For example, through its national system for the protection of children and adolescents, Mexico has reviewed all existing national indicators on children's rights. Those indicators covered issues such as violence against children, child labour and bullying. They are now being compared with the indicators defined under the Goals in order to facilitate implementation monitoring. The data will also be made public and accessible through a system called "InfoSIPINNA".

85. Lastly, greater emphasis should be placed on the valuable accountability processes that are part of human rights mechanisms. The significant quantity of information on the implementation of international human rights treaties gathered through the reporting process is closely related to the scope of the 2030 Agenda. Through an efficient use of information, this existing source of data should be harnessed to assist in tracking the implementation of the Goals. Conversely, human rights mechanisms should mainstream the 2030 Agenda in their monitoring procedures in order to participate effectively in accountability efforts.

## IV. Conclusion

**86. The 2030 Agenda represents an ambitious set of goals to be achieved. Still in its infancy, the current review and follow-up procedure can be improved to ensure that truly no one is left behind. In the first two sessions of the high-level political forum since the adoption of the 2030 Agenda, insufficient attention has been paid to the rights of children and their right to protection from violence, in particular from sale and sexual exploitation.**

**87. The review of Goals 8 and 16 in the thematic focus of the 2019 session of the forum will be a crucial opportunity to fill this gap. In addition, in 2019 the international community will celebrate the thirtieth anniversary of the Convention on the Rights of the Child. That occasion should be used to genuinely integrate children and their rights into the 2030 Agenda.**

**88. Moreover, existing accountability instruments, including human rights mechanisms, have yet to be appropriately harnessed for a comprehensive review of and follow-up to the Goals. In view of the voluntary nature of reporting to the forum, greater emphasis should be placed on existing reporting mechanisms, in particular those that are at the heart of the human rights framework, and on the extensive related information that States already provide. Human rights mechanisms such as the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review already include issues covered by the Goals and targets and could therefore enhance accountability for the 2030 Agenda.**

**89. The goal of ending violence against children still needs to be integrated into development agendas, as it remains a separate consideration in many countries. As highlighted at the beginning of the present report, the 2030 Agenda is inherently linked to human rights.**

90. In respect of the specific violations that fall within the scope of the mandate of the Special Rapporteur, partnerships for sustainable development, in particular the Global Partnership to End Violence against Children and Alliance 8.7, represent a vital space for the implementation of targets 5.3, 8.7 and 16.2. Members of those partnerships should serve as leaders for the international community, especially in relation to reporting on the implementation of the Goals.

91. The lack of indicators on the sale and sexual exploitation of children is a matter of great concern to the Special Rapporteur. Data are at the heart of any accountability effort, and their absence jeopardizes efforts to combat the sale and sexual exploitation of children. The very nature of those violations makes data collection extremely challenging. The Goal indicators should thus be seen as an opportunity to finally map those violations. A top priority in this domain should be to standardize definitions and categories through the adoption of the *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*. The Special Rapporteur stands ready to collaborate in and contribute to the upcoming reviews of the Goal indicators and in the development of national and regional sets of indicators.

92. To conclude, it should be kept in mind that the Goals, in particular as they relate to child protection, cannot be implemented separately from the enforcement of the Convention on the Rights of the Child, its Optional Protocols and other relevant international norms and standards. Targets 5.3, 8.7 and 16.2 are rights-based and are drawn from the obligations of States parties to those international instruments.

## V. Recommendations

93. In view of the varying nature of voluntary national reviews, the Special Rapporteur wishes to provide additional guidance for States and calls upon them:

(a) To ensure that reviews always include reports on children's rights, including commitments, progress and challenges in relation to targets 5.3, 8.7 and 16.2, irrespective of the thematic focus of the high-level political forum at that particular session;

(b) To ensure that information with regard to children's rights in reviews includes, at a minimum, the following information on child protection. If States are not in a position to provide such information, the following list can be seen as a road map for the implementation of the relevant Goals:

(i) An index of existing legal frameworks dealing with prohibition, prosecution, protection, care, assistance and prevention in relation to all forms of physical, mental and sexual violence against, exploitation and neglect of, and harmful practices in relation to children;

(ii) A description of how the national legal framework is aligned with the Convention on the Rights of the Child, its Optional Protocols and other relevant international norms and standards;

(iii) A detailed presentation of the comprehensive child protection strategy and mechanism, as well as a description of how they ensure multisectoral coordination and implementation;

(iv) An indication of the financial investment in action plans, coordination mechanisms, prevention and response services for the protection of children from all forms of violence, abuse and exploitation;

(v) A presentation of specific prevention programmes that address underlying causes of violations of children's rights, such as patriarchal social norms, gender-based discrimination and sexual and reproductive health;

(vi) A description of identification, reporting, referral and investigation mechanisms for all forms of violence against children, such as abuse, exploitation, sale and trafficking;

(vii) A presentation of existing care, recovery and reintegration services for child victims of violence;

(viii) A detailed statement on data collection systems used to identify and document the forms of violence against children;

(ix) An explanation of how stakeholders, in particular civil society organizations, children and young people, were involved in the preparation of the review;

(x) A presentation of the commitments made at the international level, for example through multi-stakeholder partnerships, in support of the implementation of targets 5.3, 8.7 and 16.2.

94. The Special Rapporteur calls upon the international community and specialized agencies of the United Nations system:

(a) To ensure that the necessary attention is given to children's rights during the thematic reviews at the 2019 session of the high-level political forum and that children are able to participate directly in the proceedings meaningfully and safely;

(b) To seize the opportunity of the next revision of the voluntary national review handbook to ensure that it incorporates a human rights-based approach to its guidelines. It should, for example, call for the systematic inclusion of statistical annexes in reviews that reflect both global and nationally developed indicators, especially in areas where data are missing, such as the sale and sexual exploitation of children. In addition, in the next revision, States should be called upon to systematically draw on human rights mechanisms for reporting purposes;

(c) To call upon States preparing for the next cycle of reviews to ensure that they build and follow up on the identified gaps, challenges and conclusions;

(d) To produce common children's rights-based guidelines, addressed to all stakeholders concerned, on how to report to the forum on targets 5.3, 8.7 and 16.2. The aim of the guidelines should be to provide advice for the preparation of the 2019 session of the forum;

(e) To promote the use of the *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse* in order to ensure the use of common definitions and categories in the context of data collection;

(f) To strengthen the accountability mechanisms for the implementation of the Goals. In this regard, the Global Partnership to End Violence against Children and Alliance 8.7 should lead the way from a children's rights perspective.

95. **In respect of data collection and the use of Goal indicators, the Special Rapporteur calls for the following:**

(a) **A comprehensive review of the Goal indicators by the Statistical Commission in 2020 and 2025 to offer a meaningful opportunity for all stakeholders to provide input. Those opportunities must be seized to fill the gaps in measuring specific forms of violence against children, such as the sale and sexual exploitation of children;**

(b) **Creation of complementary indicators at the national and regional levels that specifically measure violence against children in its various forms, including sale and sexual exploitation;**

(c) **Engagement of all relevant actors, including human rights mechanisms and civil society organizations, in the collection of data in the context of the 2030 Agenda;**

(d) **Use of the guidance note on data collection and disaggregation developed by OHCHR.**

96. **The Special Rapporteur encourages human rights mechanisms:**

(a) **To comprehensively integrate the Goals into recommendations, guidelines and reports in order to reaffirm the human rights-based implementation of the 2030 Agenda;**

(b) **To pursue and widen the inclusion of references to relevant targets under the Goals in concluding observations relating to violence against children;**

(c) **To increase their engagement with the high-level political forum and systematically use relevant input on the 2030 Agenda in their work.**